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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,809	11/30/2001	Steven M. Belz	82715RLO	9159

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EXAMINER

YODER III, CHRISS S

ART UNIT PAPER NUMBER

2622

DATE MAILED: 03/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/017,809	BELZ ET AL.	
	Examiner	Art Unit	
	Chriss S. Yoder, III	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-7, 9, 10 and 12-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-7, 9-10, and 12-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination

With respect to the decision of the Board of Appeals dated November 22, 2005, the examiner has specific knowledge of the existence of a particular reference or references that indicate the non-patentability of the appealed claims. Prosecution on the merits of this application is reopened on claims 5-7, 9-10, and 12-15, which are considered unpatentable for the reasons indicated below.

The period under 37 CFR 1.304 for seeking court review of the decision by the Board of Patent Appeals and Interferences rendered November 22, 2005, with respect to claims 1-4 and 11 has expired and no further action has been taken by appellant. The proceedings as to the rejected claims are considered terminated; see 37 CFR 1.197(b).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 5-6 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Steinberg (US Patent # 6,891,567) in view of Creamer et al. (US Patent # 6,930,709).

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2. In regard to claim 5, note Steinberg discloses the use of a system including a plurality of digital cameras, docking units, and a service provider to permit the digital camera to be coupled to a communication channel (column 4, lines 14-19, the system includes a plurality of cameras that connect to a message server), comprising the digital camera including a viewable display (column 3, lines 58-60 and figure 2: 48), a docking interface to permit the digital camera to be connected to the docking unit (column 3, lines 49-51 and figure 1: 24), the docking unit includes a connector for providing an electrical connection with the docking interface in the digital camera (column 3, lines 49-51 and figure 1: the cable 28 has a connector to connect with the docking interface 24), a network connection for interconnecting the docking unit to the channel (column 3, lines 45-51 and figure 1: the network 20 is connected to the service provider 12) and the service provider including a memory for storing a plurality of user accounts (column 4, lines 14-19; and figure 1: 12 and figure 3A: 58), each identifying particular content categories previously selected by a particular user (column 4, lines 41-55; column 5, lines 25-45; and figure 3A: 58-59), and content information corresponding to the plurality of content categories (column 5, lines 36-39 and figure 3A: 56), and for communicating content information to a plurality of digital cameras associated with the plurality of user accounts (column 5, lines 46-55 and figure 3A: 80), whereby the content information, corresponding to content categories identified in the service account associated with each digital camera, is communicated over the communication channel to the plurality of digital cameras (column 5, lines 46-55 and figure 3A: 80), and the digital camera

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receiving the content information and displaying the content information on the viewable display (column 5, lines 46-55 and figure 3A: 80).

Therefore, it can be seen that Steinberg fails to disclose that the communication channel that is used is the Internet and that the camera has an image capture lens, an image sensor for receiving a visual image provided by the capture lens to produce an image signal, and a processor responsive to the image signal for producing a digital image so that the viewable display can respond to such image to provide a viewable image.

However, in analogous art, Creamer discloses the use of the Internet as a communication channel to transfer data between a camera and a computer (column 12, lines 23-35) and that the camera has an image capture lens (column 29, lines 18-22), an image sensor for receiving a visual image provided by the capture lens to produce an image signal (column 29, lines 18-22), and a processor responsive to the image signal for producing a digital image so that the viewable display can respond to such image to provide a viewable image (column 29, lines 42-53). Creamer teaches that the use of the Internet as a communication channel is preferred in order to allow the user to transfer data from any where in the world (column 12, lines 23-35) and that the use of an image capture lens, an image sensor for receiving a visual image provided by the capture lens to produce an image signal, and a processor responsive to the image signal for producing a digital image so that the viewable display can respond to such image to provide a viewable image is preferred instead of an optical viewfinder in order

to show a more accurate representation of the scene that the camera will capture (column 29, lines 42-53).

Therefore, it would have been obvious to one of ordinary skill in the art to modify the Steinberg device to include the use of the Internet as a communication channel to transfer data between a camera and a computer and that the camera has an image capture lens, an image sensor for receiving a visual image provided by the capture lens to produce an image signal, and a processor responsive to the image signal for producing a digital image so that the viewable display can respond to such image to provide a viewable image as suggested by Creamer in order to allow the user to transfer data from anywhere in the world and to preview a more accurate image that will be captured.

3. In regard to claim 6, note Steinberg discloses that the service provider also communicates digital image files over the communication channel to the digital camera (column 6, lines 18-20; the communication of a graphical advertisement is considered to be the communication of a digital image file), and the digital camera receives and displays the digital image files on the viewable display (column 5, lines 46-55 and figure 3A: 80), and as for the use of the Internet as the communication channel, this limitation is found in Creamer (column 12, lines 23-35).

4. In regard to claim 12, which is a method claim, corresponding to the apparatus claim 5. Therefore, claim 12 is analyzed and rejected as previously discussed with respect to claim 5 above.

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5. Claims 7, 9-10, and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Steinberg (US Patent # 6,891,567) in view of Creamer et al. (US Patent # 6,930,709) and further in view of Panofsky et al. (US PGPub # 2002/0161476).

6. In regard to claim 7, note the primary reference of Steinberg in view of Creamer discloses the use of a system including a plurality of digital cameras, docking units, and a service provider to permit the digital camera to be coupled to the Internet, wherein the service provider communicates content information to a plurality of digital cameras associated with a plurality of user accounts as claimed in claim 5 above. Therefore, it can be seen that the primary reference fails to disclose that the content categories include at least one sports team selected by a particular user.

However, in analogous art, Panofsky discloses the use of a system for transferring digital files over the Internet to a portable device that includes content information that includes at least one sports team selected by a particular user (paragraph 0050). Panofsky teaches that the transfer of content information that includes at least one sports team selected by a particular user is preferred in order to provide the user with any pre-selected content needed by the user (paragraph 0050). Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary device of Steinberg in view Creamer to include the transfer of content information that includes at least one sports team selected by a particular user, as suggested by Panofsky, in order to provide the user with any pre-selected content needed by the user.

7. In regard to claim 9, note the primary reference of Steinberg in view of Creamer discloses the use of a system including a plurality of digital cameras, docking units, and a service provider to permit the digital camera to be coupled to the Internet, wherein the service provider communicates content information to a plurality of digital cameras associated with a plurality of user accounts as claimed in claim 5 above. Therefore, it can be seen that the primary reference fails to disclose that the content categories include at least one stock selected by a particular user.

However, in analogous art, Panofsky discloses the use of a system for transferring digital files over the Internet to a portable device that includes content information that includes at least one stock selected by a particular user (paragraph 0050). Panofsky teaches that the transfer of content information that includes at least one stock selected by a particular user is preferred in order to provide the user with any pre-selected content needed by the user (paragraph 0050). Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary device of Steinberg in view Creamer to include the transfer of content information that includes at least one stock selected by a particular user, as suggested by Panofsky, in order to provide the user with any pre-selected content needed by the user.

8. In regard to claim 10, note the primary reference of Steinberg in view of Creamer discloses the use of a system including a plurality of digital cameras, docking units, and a service provider to permit the digital camera to be coupled to the Internet, wherein the service provider communicates content information to a plurality of digital cameras associated with a plurality of user accounts as claimed in claim 5 above. Therefore, it

can be seen that the primary reference fails to disclose that the content categories include at least one sports category, a news category and a financial category.

However, in analogous art, Panofsky discloses the use of a system for transferring digital files over the Internet to a portable device that includes content information that includes at least one sports category, a news category and a financial category (paragraph 0050). Panofsky teaches that the transfer of content information that includes at least one sports category, a news category and a financial category is preferred in order to provide the user with any pre-selected content needed by the user (paragraph 0050). Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary device of Steinberg in view Creamer to include the transfer of content information that includes at least one sports category, a news category and a financial category, as suggested by Panofsky, in order to provide the user with any pre-selected content needed by the user.

9. In regard to claim 13, which is a method claim, corresponding to the apparatus claim 7. Therefore, claim 13 is analyzed and rejected as previously discussed with respect to claim 7 above.

10. In regard to claim 14, which is a method claim, corresponding to the apparatus claim 9. Therefore, claim 14 is analyzed and rejected as previously discussed with respect to claim 9 above.

11. In regard to claim 15, which is a method claim, corresponding to the apparatus claim 7. Therefore, claim 15 is analyzed and rejected as previously discussed with respect to claim 7 above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


US006721001B1: note the use of a cradle that is used to connect a camera with a power source and a communication channel.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chriss S. Yoder, III whose telephone number is (571) 272-7323. The examiner can normally be reached on M-F: 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CSY
March 16, 2006


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